

1 EDMUND G. BROWN JR.
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 RENE JUDKIEWICZ
Deputy Attorney General
4 State Bar No. 141773
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2537
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 935-A

11 **GABRIEL ANTHONY MURILLO**
12 **16335 Santa Bianca Drive**
13 **Hacienda Heights, CA 91745**
Traffic Engineer License No. TR 1843

A C C U S A T I O N

14 Respondent.

15
16 Complainant alleges:

17 PARTIES

18 1. David E. Brown (Complainant) brings this Accusation solely in his official capacity
19 as the Executive Officer of the Board for Professional Engineers and Land Surveyors (Board),
20 Department of Consumer Affairs.

21 2. On or about March 29, 1996, the Board issued Traffic Engineer License Number TR
22 1843 to Gabriel Anthony Murillo (Respondent). The Traffic Engineer License was in full force
23 and effect at all times relevant to the charges brought herein and will expire on June 30, 2012,
24 unless renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board under the authority of the following
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.
28

4. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

6. Section 6775 of the Code states, in pertinent part, that “[t]he board may reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer registered under this chapter:

“(a) Who has been convicted of a crime substantially related to the qualifications, functions and duties of a registered professional engineer, in which case the certified record of conviction shall be conclusive evidence thereof.

“(b) Who has been found guilty by the board of any deceit, misrepresentation, or fraud in his or her practice.”

COSTS

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Substantially Related Conviction)

8. Respondent is subject to disciplinary action under sections 490 and 6775, subdivision (a) of the Code in that Respondent was convicted of a crime substantially related to the qualifications, functions and duties of a registered professional engineer. The circumstances are as follows:

1 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
2 enforcement of this case, pursuant to Code section 125.3; and

3 3. Taking such other and further action as deemed necessary and proper.
4
5

6 DATED: 6/25/10

Original Signed

DAVID E. BROWN

Executive Officer

Board for Professional Engineers and Land Surveyors

Department of Consumer Affairs

State of California

Complainant

11 LA2010600539
12 60544796.doc
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28